

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<p>In re: Michael Weems Debtor and Delores Weems Co-Debtor Kupuri Capital, LLC, or its Successor or Assignee Movant vs. Kenneth E. West, Trustee Michael Weems Delores Weems Respondents</p>	<p>Chapter 13 Bankruptcy No. 21-11073-mdc</p>
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**AMENDED MOTION OF KUPURI CAPITAL, LLC, OR ITS SUCCESSOR OR ASSIGNEE FOR
RELIEF FROM AUTOMATIC STAY UNDER §362(a)**

Movant: Kupuri Capital, LLC, or its Successor or Assignee

Mortgage dated October 28, 1998 and recorded on November 18, 1998 in the Office of the Recorder of Delaware County in Mortgage Book 1797 Page 1026.

Assignment of Mortgage dated October 28, 1998 and recorded on March 10, 2011 in the Office of the Recorder of Delaware County in Mortgage Book 04904 Page 1937.

Assignment of Mortgage dated August 3, 2011 and recorded on September 27, 2011 in the Office of the Recorder of Delaware County in Mortgage Instrument No. 2011056136.

Assignment of Mortgage dated May 9, 2013 and recorded on July 9, 2013 in the Office of the Recorder of Delaware County in Mortgage Book 05362 Page 1328.

Assignment of Mortgage dated January 15, 2018 and recorded on February 8, 2018 in the Office of the Recorder of Delaware County in Mortgage Book 06127 Page 1262.

Assignment of Mortgage dated January 15, 2018 and recorded on February 8, 2018 in the Office of the Recorder of Delaware County in Mortgage Book 06127 Page 1262.

Assignment of Mortgage dated June 4, 2023 and recorded on June 30, 2023 in the Office of the Recorder of Delaware County in Mortgage Instrument number 2023022616.

Assignment of Mortgage dated June 29, 2023 and recorded on December 11, 2023 in the Office of the Recorder of Delaware County in Mortgage Instrument number 2023043430..

1. Kupuri Capital, LLC, or its Successor or Assignee (hereinafter "Movant") holds a claim secured by a duly recorded Mortgage on property of Michael Weems and Delores Weems, or of the bankruptcy estate located at: 900 Lloyd St, Chester, Pennsylvania 19013.

2. Michael Weems (hereinafter "Debtor") filed a Petition under Chapter 13 on April 19, 2021.

3. Delores Weems is liable on the debt described herein below and is a Codebtor (hereinafter "Codebtor") within the meaning of 11 U.S.C. Section 1301. Co-Debtor(s) received consideration for the claim held by Movant.

4. At the present time, the Mortgage requires payments each month of \$291.05.

5. Movant has not received regular mortgage payments and lacks adequate protection of its interests.

6. Debtor and Co-Debtor are in default of post petition payments to the present date from April 2023.

7. Debtor, Co-Debtor and prior servicer entered into a Loan Modification Agreement on November 12, 2010.

8. The total amount of the post-petition arrearage as of this date is \$9,604.65. This figure is broken down as follows:

-thirty-three (33) delinquent payments, each in the amount of \$291.05, representing the months of May, 2021 through January, 2024

9. Since January 15, 2024, Movant has incurred attorneys' fees in connection with this Motion.

10. Movant does not have and has not been offered adequate protection for its interest in said premises and may be required to pay expenses for said premises in order to preserve its lien, which is the obligation of the Debtor and Codebtor under said Mortgage.

11. Movant specifically requests permission from the Honorable Court to communicate with the Debtor and Debtor's counsel to the extent necessary to comply with applicable nonbankruptcy law.

WHEREFORE, Movant prays for an order modifying the automatic stay of Bankruptcy Code §362(a) and 1301 to permit Movant to exercise applicable state court remedies with respect to the mortgage property and for such relief as this Court deems necessary and appropriate.

/s/ Andrew M. Lubin, Esquire

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